



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2205511
Applicant Name: Genevieve Gormley for the Kapka Cooperative Primary School
Address of Proposal: 4918 Linden Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to construct a second floor addition and exterior staircase to an existing private school.

The following approval is required:

Administrative Conditional Use—To expand an institution in an L-1 zone.
(Chapter 23.45.122, Seattle Municipal Code.)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions

 ☐ DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction

BACKGROUND DATA

Site and Vicinity Description

Located at 4918 Linden Ave. N., the site occupies the southeast corner of Linden Ave. N. and N. 50th St. One block west of Aurora Avenue North, the site lies directly across N. 50th St. from the Woodland Park Zoo. The Kapka Cooperative Primary School occupies a former house in the

neighborhood south of the zoo. The formal entry to the school is located on Linden Ave. N. A play area extends from the back of the structure to the rear property line. Two unused curb cuts and driveway leading to a former garage are located along N. 50th St.

The immediate vicinity south of the zoo comprises a mixture of older, single family houses and apartment buildings. The elegant Hawthorne Square condominiums lies a block to the south. The Aurora Ave. N. commercial corridor begins at N. 50th St., south of the zoo, and extends uninterrupted until the Ship Canal. Zoning patterns mirror the existing land uses. The subject property lies within a Lowrise One (L1) zone. Three parcels to the east, the zoning along Aurora Ave. N. is Commercial One (C1 40) with a forty foot height limit. Three parcels to the west the zoning designation shifts to Lowrise Three (L3), which extends along N. 50th St. across from the southern edge of the zoo. One hundred and thirty feet to the south of the site, the zone shifts to Lowrise Two (L2) and across N. 50th St., the zoo is zoned Single Family 5000 (SF5000).

In front of the site, the grade of the N. 50th St. right-of-way splits. The west bound lanes emerge from beneath Aurora Ave. N. The east bound lanes, which remain at the same grade, merge into the south bound lanes of Aurora Ave. N. A wall divides the grade change and makes it impractical to cross N. 50th St. at the intersection with Linden Ave. N. The overall impression is that the zoo and Woodland Park are visually and physically separated from the neighborhood.

The Emanuel Bible Church at Dayton Avenue North and N. 50th St. lies outside of the 600 foot dispersion area from the Kapka School that might preclude new institutions.

Proposal Description

Kapka Cooperative Primary School (a private school for kindergarten through second grade) proposes to enlarge its second floor space by adding 666 square feet of classroom space. In addition, two new means of egress (232 square feet) are proposed for a total of 898 square feet. The foot print of the building would expand by 343 square feet. Currently there are two parking spaces on site. The applicant seeks to add one additional parking space, for a total of three spaces.

Public Comment

One comment letter was received during the public comment period, which ended January 22, 2003. The respondents expressed their support of the proposed expansion.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE GENERAL PROVISIONS

- A. *Only those conditional uses identified in this subchapter as conditional uses may be authorized as conditional uses in multifamily zones. The Master Use Permit process shall be used to authorize these uses.*

The Land Use Code permits this use in multifamily zones outright, but requires an Administrative Conditional Use approval when institutions do not meet development standards.

- B. Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Subchapter I.*

This proposal is subject to SMC 23.45.122, institutions other than public schools not meeting development standards.

- C. The Director may approve, condition or deny a conditional use. The Director's decision shall be based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

This decision shall be based on whether the proposed use meets the criteria for establishing a specific conditional use as described in SMC 23.45.122 A through D. An institution has operated at this location since 1986 when a school was permitted at this address. In 2000 Kapka moved into the building. The City recognizes the public benefit that institutions, such as these, have made by providing educational and cultural opportunities to their communities. The criteria for establishing this expansion shall be examined, and the project will be conditioned to prevent detriment or injury to property in the vicinity.

- D. In authorizing a conditional use, the Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest.*

The criteria described in SMC 23.45.122 A through D is used to evaluate the proposal and condition, if necessary, to protect other properties and the public interest.

- E. The Director shall issue written findings of fact and conclusions to support the Director's decision.*

This report satisfies the criterion.

- F. Any authorized conditional use which has been discontinued shall not be re-established or recommenced except pursuant to a new conditional use permit.*

This building has been occupied by institutional uses since 1986. Therefore, this criterion is not applicable.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

Multifamily Zones

Section 23.45.090 of the Seattle Municipal Code (SMC) provides that expansion of an existing institution may be permitted as an administrative conditional use subject to the requirements of Section 23.45.122.

SMC section 23.45.122 provides criteria to be used to evaluate and/or condition this proposal. They are categorized as: A) Bulk and Siting; B) Dispersion Criteria; C) Noise; and D) Transportation Plan. Each of these criteria will be analyzed below.

A. Bulk and Siting. In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards for modulation, landscaping, provision of open space and structure width, depth and setbacks. In determination whether to allow such modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.

The existing structure does not meet current development standards. An exterior staircase extends into the side setback. In addition to the expansion of the second floor, the applicant proposes to build another exterior staircase from the second floor to grade close to the front setback. The increased size of the second floor space remains within the height and setback limits of its L1 zone. The proposed design is not an aesthetic departure from the style of structures that currently exists on both block faces. The proposed exterior stair also conforms to Land Use Code requirements. Although the stair case would face N. 50th St., the formal entrance to the school is on Linden Ave. N. Having the stairs on N. 50th St. does not present significant bulk and siting issues. Aesthetically, it is unusual to have exit stairs face a street in a residential area; however, its location on an arterial and across from a major park does not impact the neighbor to the east. The applicant has proposed to landscape the area underneath the staircase with shade tolerant plants and to create a decorative metal staircase with figures of salmon swimming upstream. The project will be conditioned to remove an unused curb cut and driveway off of N. 50th St. to create a landscaped area that will provide additional foliage in order to more fully integrate the school grounds back into the residential neighborhood.

B. Dispersion. An institution that does not meet the dispersion criterion of SMC 23.45.102 may be permitted upon determination that the institution would not substantially aggravate parking shortages, traffic safety hazards, and noise in the surrounding residential area.

There are no institutions within 600 feet of the project site.

C. Noise. *The Director may condition the permit in order to mitigate potential noise problems. Measures to be used by the Director for this purpose include, but are not limited to the following: landscaping, sound barriers or fences, mounding or berming, adjustments to yards, the location of refuse storage areas, or parking development standards, design modification, and fixing of hours of use of area.*

The addition will not accommodate an increased enrollment. The expansion of the structure should not generate increased noise.

D. Transportation Plan. *A transportation plan is required for institutions proposing expansions of more than 4,000 square feet and/or requiring the addition of 20 or more parking spaces. The Director shall determine the level of detail to be disclosed based on the probable impacts and/or scale of the proposal. The transportation plan may consider the following elements, as well as other similar factors: traffic, parking area, parking overflow, safety, and availability of mass transportation.*

The total gross floor area will be less than 4,000 square feet. Three parking spaces will be provided on-site. A transportation plan is not required.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **APPROVED WITH CONDITIONS** as indicated at the end of this document.

CONDITIONS-ADMINISTRATIVE CONDITIONAL USE PERMIT

Prior to the Master Use Permit

1. On the site plan, show the removal of the two curb cuts on N. 50th St. and proposed landscape treatment for the driveway and the area underneath the proposed staircase.

For the Life of the Project

2. The existing curb cuts and driveway on North 50th St. shall be replaced with a curb and landscaping.

Signature: (signature on file) Date: September 8, 2003
Bruce P. Rips, AICP
Land Use Planner
Department of Design, Construction and Land Use